

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

December 10, 2001, continued

C033076 INTEL CORPORATION v. HAMIDI (Certified for Publication)

The judgment is affirmed. (CERTIFIED FOR PUBLICATION.)

MORRISON, J.

I concur: Scotland, P.J.

I respectfully dissent...

Kolkey, J.

C036987 SOLIS et al. v. KIRKWOOD RESORT COMPANY

(Certified for Publication)

The judgment is reversed with directions to vacate the order granting summary judgment and enter an order denying the motion. Defendant is to pay plaintiff's costs of this appeal.

MORRISON, J.

We concur: Sims, Acting P.J.

Nicholson, J.

December 11, 2001

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Blease, Acting Presiding Justice; Nicholson, Associate Justice; Raye, Associate Justice; and Castillo, Bailiff. Calendar Called.

C036413 FOX v. FOX

Cause called. Arnold J. Wolf argued for appellant. Paige Leslie Wickland argued for respondent. Cause submitted.

At 9:56 a.m., the court recessed. At 10:00 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison and Associate Justice Kolkey.

C038366 GALLOWAY v. GALLOWAY

Cause called. Pamela K. Roberts argued for appellant. Elizabeth E. Harrison argued for respondent. Cause submitted.

At 10:18 a.m., the court recessed until 9:30 a.m., Wednesday, December 12, 2001.

C032737 THE PEOPLE v. SANDERLIN, JR. (Not for Publication)

The judgment is affirmed.

KOLKEY, J.

We concur: Blease, Acting P.J.

Morrison, J.

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- C035821 THE PEOPLE v. FOSTER (Not for Publication)**
The judgment is affirmed.
 MORISON, J.
We concur: Blease, Acting P.J.
 Raye, J.
- C037026 THE PEOPLE v. NOTTINGHAM (Not for Publication)**
The judgment is affirmed.
 MORRISON, J.
We concur: Davis, Acting P.J.
 Nicholson, J.
- C030695 DELMAN et al. v. CALIFORNIA FARM INSURANCE COMPANY as insurer of
JOSEPH WILLIAMS (Not for Publication)**
The judgment is reversed, and the matter remanded for proceedings consistent
with this opinion, including any issue of attorney fees. CalFarm shall recover its
costs on appeal.
 KOLKEY, J.
We concur: Blease, Acting P.J.
 Davis, J.
- C037392 CHIMA v. WENIGER (Not for Publication)**
The judgment of dismissal is reversed.
 MORRISON, J.
We concur: Scotland, P.J.
 Raye, J.

December 12, 2001

At 9:29 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Blease, Acting Presiding Justice; Sims, Associate Justice; Raye, Associate Justice; and Castillo, Bailiff. Calendar Called.

- C037790 MEDICAL BOARD OF CALIFORNIA v. THE SUPERIOR COURT OF
SACRAMENTO COUNTY and McLEOD**
Cause called. Beth Faber Jacobs, Deputy Attorney General, argued for petitioner. Russell lungerich argued for real party in interest. Cause submitted.
- At 9:58 a.m., the court recessed. At 9:59 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims and Associate Justice Raye.
- C036815 STATE OF CALIFORNIA v. LOCKHEED MARTIN IMS, INC.**
Cause called. John G. Donhoff, Jr., Deputy Attorney General, argued for appellant. Ladd B. Leavens appeared only. Jason C. Klein appeared only. B. Boyd Hight argued for respondent. Cause submitted.

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December 12, 2001, continued

At 10:55 a.m., the court recessed. At 11:00 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Callahan and Associate Justice Hull.

C037045 BROWN v. BOARD OF PSYCHOLOGY

Cause called. Russell Iungerich argued for appellant. Beth Faber Jacobs, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:21 a.m., the court recessed. At 11:23 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Raye and Associate Justice Callahan.

C037835 LEWIS v. SIMONIS

Cause called. Franklin Cibula argued for appellant. Robert N. Campbell argued for respondent. Cause submitted.

At 11:47 a.m., the court recessed. At 2:01 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Callahan and Associate Justice Hull.

C036724 SMITH v. COUNTY OF EL DORADO et al.

Cause called. Travis Smith argued for himself in pro per as appellant. Thomas A. Cregger argued for respondent County of Sacramento. Kurt M. Petersen argued for respondent County of El Dorado. Lawrence N. Hensely argued for respondents Chang et al. Cause submitted.

At 2:28 p.m., the court recessed. At 2:33 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Blease and Associate Justice Kolkey.

C036429 ZOCHLINSKI v. HANDY et al.

Cause called. Howard Zochlinski argued for himself in pro per as appellant. Nancy A. Huneke argued for respondents Handy et al. Rod Beede argued for respondent Yau. Cause submitted.

At 2:57 p.m., the court recessed. At 3:05 p.m., the court reconvened with Acting Presiding Justice Nicholson, Associate Justice Morrison and Associate Justice Callahan.

C035906 JAKUBOWSKY v. MCI TELECOMMUNICATIONS CORPORATION et al.

Cause called. Tracey K. Merwise argued for appellants. John R. Hargreaves argued for respondent. Cause submitted.

At 3:36 p.m., the court recessed until 9:30 a.m., Friday, December 14, 2001.

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December 12, 2001, continued

- C035401 THE PEOPLE v. WILLARD (Not for Publication)**
The judgment is modified to reflect the imposition of \$17,594 in victim restitution. The trial court is ordered to prepare an amended abstract of judgment reflecting this modification and to forward a certified copy of the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.
SIMS, Acting P.J.
We concur: Callahan, J.
Hull, J.
- C036059 THE PEOPLE v. ROGERS (Not for Publication)**
The judgment is affirmed.
SIMS, J.
We concur: Blease, Acting P.J.
Davis, J.
- C036532 THE PEOPLE v. YOUNG (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We concur: Blease, Acting P.J.
Raye, J.
- C036886 THE PEOPLE v. SMITH (Certified for Publication)**
The judgment order is affirmed.
SIMS, Acting P.J.
We concur: Davis, J.
Morrison, J.
- C037557 THE PEOPLE v. MONK (Not for Publication)**
The judgment is affirmed.
KOLKEY, J.
We concur: Blease, Acting P.J.
Hull, J.
- C037851 THE PEOPLE v. MCNAIR (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Hull, J.
Kolkey, J.
- C038379 THE PEOPLE v. PEARCE (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Morrison, J.
Hull, J.

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December 13, 2001

C035609 THE PEOPLE v. BROOKS (Not for Publication)
The sentence for receiving stolen property is modified to provide for a stay pursuant to section 654. The trial court is directed to prepare an amended abstract of judgment accordingly and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.
MORRISON, J.
We concur: Sims, Acting P.J.
 Davis, J.

C038280 In re CODY Y.; ERIC B. v. THOMAS Y. (Not for Publication)
The judgment is affirmed.
CALLAHAN, J.
We concur: Davis, Acting P.J.
 Raye, J.

December 14, 2001

At 9:36 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Davis, Acting Presiding Justice; Raye, Associate Justice; Kolkey, Associate Justice; and Rios, Bailiff. Calendar Called.

C030453 NATIONAL ENTERPRISES, INC. v. WOODS et al.
Cause called. Michael H. Fish argued for appellant. George P. Eshoo argued for respondents. Cause submitted.

At 10:10 a.m., the court recessed. At 10:12 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis and Associate Justice Hull.

C035606 THE PEOPLE v. SPOONER
Cause called. John Ward, court appointed counsel, argued for appellant. Aaron R. Maguire, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:30 a.m., the court recessed. At 10:32 a.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Hull and Associate Justice Kolkey.

C036936 ALVARADO v. STATE PERSONNEL BOARD, etc. and DEPARTMENT OF CORRECTIONS, etc.
Cause called. Richard J. Burton argued for appellant. Gregory L. Nicholas, Department of Corrections, argued for respondent. Cause submitted.

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December 14, 2001, continued

C036579 **THE PEOPLE v. SANCHEZ** **(Certified for Publication)**
The judgment is affirmed as to all counts, except count 7, which we reverse.
(CERTIFIED FOR PUBLICATION.)
BLEASE, Acting P.J.
I concur: Davis, J.
I concur in the majority opinion...
 Sims, J.

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**C036339 HANSEN v. THE PERMANENTE MEDICAL GROUP, INC. et al.
(Not for Publication)**

The judgment is affirmed.

CALLAHAN, J.

I concur: Davis, Acting P.J.

I concur in the result...

Morrison, J.

**C037860 In re G.K. et al. and T.K.; SACRAMENTO COUNTY DEPARTMENT OF
HEALTH AND**

C037960 HUMAN SERVICES v. J.K. et al. (Not for Publication)

The orders of the juvenile court are affirmed.

RAYE, J.

We concur: Davis, Acting P.J.

Callahan, J.

**C027858 RUEMMLER v. COMMERCE SECURITY BANK
(Not for Publication)**

THE COURT:

It is ordered that the lead opinion filed herein on November 14, 2001, be modified as follows:...This modification does not change the judgment.

Ruemmler's petition for rehearing is denied.

FOR THE COURT:

Scotland, P.J.

Sims, J.

Morrison, J.